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## Intent and Impact: How State and International Policy Affects Internally Displaced Peoples in African Countries

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Intent and Impact: How State and International Policy Affects Internally Displaced Persons in  
African Countries

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Many people have heard of the plight of refugees driven outside their countries, but few are familiar with the struggles of Internally Displaced Persons (IDPs) who are forced to move *within* their own country. Once refugees cross national borders, they are protected by international laws such as the Refugee Law, Human Rights Law, and International Humanitarian Law. However, IDPs often remain a matter of national domestic concern rather than attracting international action. The internal nature of the issue adds layers of complexity to resolving IDPs' struggles since principles such as state sovereignty and non-interference policies pose varying degrees of challenges to countries' acceptance of international humanitarian aid groups. While external resources of international aid may prove effective in mitigating the short-term needs and conditions of IDPs, only recently have attempts been made between nation states and the international community to resolve the crisis of internal displacement, while long-term, preventative measures remain virtually nonexistent. This paper addresses the various attempts of two nation states of the African Union, Somalia and Ethiopia, to implement internal displacement solutions through policy and action, and analyzes the struggles between plans and the actual resolution of this plight of Internally Displaced Persons.

While there has been movement on the national level across many countries in Africa to address internal displacement, the term Internally Displaced Persons has a long but rarely spoken history in international organizations. After World War II, the United Nations Rehabilitation Administration (predecessor of UNCHR) drafted legislation that protected both refugees and IDPs. This protection was contested during the Cold War, when borders became concepts of non-interference, and international aid's jurisdiction in countries was questioned. In the 1960s, the UN High Commissioner for Refugees restricted humanitarian aid from focusing on IDPs, saying "my officers are not in a position to deal with situations affecting nationals who find

themselves within a territory of their country” (Davies et.al 2010). Through this abandonment in aiding IDPs, the lack of response created a widening gap between solutions for displacement and the much-needed international aid as nations within Africa struggled to act.

The formation of modern African inter-state governance policy appeared in the early 20<sup>th</sup> century with the formation of the Organization of African Unity (OAU) in May of 1963, when thirty-one leaders of independent African nations met to design the structure of the organization (Exploring Africa). The OAU’s most prominent goal was to support struggles for political independence for African colonies. However, while the organization called for unity, the established principles made unification extremely difficult to achieve. In its charter principles, the OAU states that there shall be “Non-interference in the internal affairs of the States” (OAU Charter 1963, 4). This clause firmly established state sovereignty as an integral basis for nation state members, and effectively halted the OAU from intervening in conflicts such as civil wars, military coups against civilian governments, and genocide within the borders of any member country. Calls for reform grew more insistent, until the OAU held a summit meeting in 2001, where leaders committed themselves to developing the African Union (AU) as a replacement for the OAU.

The charter for the newly created African Union provided a comprehensive plan for the organization to function as a Parliament with each member country sending representatives to provide a diverse array of viewpoints. The AU also established an African Court of Justice, which provided an unbiased venue to hear disputes between nations, and to identify gross human rights abuses and hold those accountable for their actions. The AU differed from the OAU, in that it actively engaged in affairs of member states, specifically committing to intervene in conflict, such as civil wars and incidents of human rights abuses. Within the charter documents,

the AU promises to promote democracy and good governance over its member states, respecting state sovereignty while maintaining working relationships with international aid organizations. The lack of action surrounding the Internally Displaced Persons crisis by the international community urged them to rethink their strategy in assisting and protecting IDPs, focusing on the complex situation that required them to be able to access those in need within their country's borders.

Perhaps one of the most influential documents to be passed regarding Internally Displaced Persons is the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa, also known as the Kampala Convention (UNHCR 2009). Ratified on December 6, 2012, the document addresses internal displacement caused by armed conflict, natural disasters, and large-scale developmental projects within Africa. The goal of the document is to fill the gap that exists in international law regarding protection for IDPs. It serves as the first legally-binding agreement that governs all phases of internal displacement provides comprehensive procedure for protection of IDPs by granting a wide-ranging set of claimable rights, and imposes all-inclusive obligations on international, national, and regional authority figures. Nation states can sign and ratify the document and that ratification legally binds them to follow the Convention's standards. The document's plan, while promising on paper, has struggled to turn into impactful action as either proactive or reactive policy. The roles of sovereignty and politics within each participating nation state in terms of national border and regional boundaries often exacerbate or even cause the IDP crisis and therefore limits positive outcomes thus far.

The complex relationship between nations and international aid in regards to state sovereignty and jurisdiction came to a head when the UN Security Council began to demand

access to Internally Displaced Persons and other affected populations to deliver aid, at times authorizing the establishment of relief corridors and cross border operations. In 1992, the UN established a framework which mandates that if any country refuses or deliberately obstructs access to IDPs —therefore putting large numbers at risk— the international community has the right to interfere and take action. While these actions confirmed that international aid would be present in the event that the country could not fulfill its duty to protect and aid their citizens, little action was happening in nation states across Africa to combat and prevent the growing issue of internal displacement. With legislation such as the Kampala Convention, there are clear and comprehensive regulations in which international aid and African nation states can negotiate and collaborate in order to provide the needed relief to IDPs who are in desperate need of assistance while their country's government cannot adequately supply them necessary resources. Two such African countries that face this struggle are Somalia and Ethiopia.

In the last decade, Somalia has been implementing new policies to combat the ever-growing IDP population in the capital city of Mogadishu. Somalia currently has an estimated 2.6 million IDPs within its borders as a result of various waves of disasters due to famines in 1998 and 2011, and an intense drought in 2016 (Yarnell 2019). The recent instability that the nation has experienced accentuates how IDPs have been treated by the government. Two years after the terrorist group Al Shabaab withdrew from Mogadishu in 2011, Somali government officials put forward a bill that would require all IDPs to return to their original homes within six months. This presented multiple problems, as the homelands of many IDPs were no longer in a secure state, leaving many to be evicted from their current living situations and pushed back to other dangerous outskirts of Mogadishu, where unsafe conditions prevented humanitarian aid workers from accessing to IDPs. As the congestion of IDPs at the city limits increased and the unsafe

conditions rose within Mogadishu communities, federal and local officials shifted towards policies that would facilitate local integration rather than attempting to force them to return home.

In the past year, the Somali government has put an enormous effort into ratifying policy and taking action to address internal displacement within the country. Since the government has signed and ratified the Kampala Convention in November 2019, the country has accepted legally binding terms that would hold them accountable for protecting and aiding those who have been internally displaced. The government also passed National Eviction Guidelines, designed to ensure that any evictions happen in a legal and planned manner, and protects IDPs' rights by providing alternative housing and land options. The mayor of Mogadishu implemented the Durable Solutions Unit to aid in construction of action plans and resettlement of IDPs within the city in safe and sanitary conditions, as well as focusing on "durable solutions through local integration" (Yarnell 2019). The federal government also created the Durable Solutions Secretariat (DSS) position to reach the same goals on a national level, including all ministries and federal institutions by adopting national IDP policy to accompany the National Eviction Guidelines and create policy and actions to provide alternative housing options. However, as the country stands now, various underlying issues create difficulties in taking action to improve the conditions for IDPs themselves.

While these policies exist to make progress on the current state of IDPs within the country, various issues block advancements in finding solutions for those who are in need. The weakened structure of Somalia's government by the military regime of Siad Barre in 1969 left the country with \$4.7 billion in external debt (Shalal, 2019). The World Bank, UNHCR Protection Cluster, and other international aid organizations have stepped in to help the country



pay back creditors such as the United States, France, Russia, Italy, and France through debt relief programs. With the burden of debt being lifted, Somalia could invest in infrastructure within large cities such as Mogadishu to provide public housing for IDPs, creating a living arrangement that offers integration into the established communities of the city and an escape from the volatile conditions that IDPs currently experience.

Another major issue that greatly impacts internally displaced persons is the lack of both direct aid and safety in their current conditions. With no government-run displacement camp, many IDPs have resorted to living on private lands run by gatekeepers, who have complete control over those living on the grounds. Many IDPs live in cramped settlements with unsanitary conditions, high malnutrition rates, and insufficient access to basic living services. This uncertain situation is only exacerbated by the gatekeepers, who control IDPs' freedom of movement, as well as access by humanitarian aid to reach those in need, in some circumstances granting only thirty minutes to distribute aid packages. In many camps, IDPs are required to sign up for the United Nations World Food Program. This requirement is then taken advantage of by over a hundred gatekeepers in Mogadishu, who take a 10-30% cut of IDP's food and aid as rent each month, and if IDPs refuse, they are forcibly and unlawfully evicted (Mumin 2019).

The role of the gatekeeper, while presenting threats to IDPs health and well-being, fills a void left by a weakened government structure and the limited humanitarian aid that struggles to access those who are in need due to Mogadishu's prevailing instability. These privatized camps are the only solution for many desperate IDPs, as public camps are nonexistent and professional camp managers are not employed. With more than 480 informal, private camps in the Mogadishu area, the settlements have become a booming business run by a diverse demographic of the community (Mumin 2019). Some are former IDPs themselves, while others are community

leaders, businessmen, militias, or simply landowners looking to profit from their space. By creating this complex system, their business runs on dehumanizing IDPs, treating them as commodities rather than human beings. Gatekeepers present an interesting challenge to the Somali government, as they are labelled as criminals, but exist as an informal power structure that sits just beyond the current administrations control. In order to provide solutions to this situation, the Somali government must take control of creating checks and balances within the private settlement business, and potentially set up public camps overseen by professional camp managers that follow clear ethical guidelines stated in their job responsibilities.

The response by the Ethiopian government on the issue of internal displacement provides a very different scenario than that which is happening in Somalia. Prime Minister Abiy Ahmed has been praised for creating the most progressive refugee laws in Africa, which allows refugees to obtain work permits, access primary education, obtain drivers licenses, birth and marriage certificates, and open bank accounts. This courtesy, however, has not been extended to the 1.8 million Ethiopians that have been internally displaced within their own country as the Prime Minister has largely ignored the steadily rising numbers of IDPs within the nation (IOM 2020). While there have been policies created to address it, there is very little positive action taking place in regard to helpful solutions as the country enters the verge of civil war. Having only recently ratified the Kampala Convention in February of 2020, Ethiopia has not redefined their political stance on the matter of internally displaced persons. The National Disaster Risk Management Commission (NDRMC) did implement an “Action Plan” in February 2019, which serves to set a budget for recovery and rehabilitation, partially funded by international agencies and donors (Gardner a. 2019). The policy states the goal of ensuring the voluntary, safe and dignified return or possible relocation of the IDPs within sixty days. However, the government’s

actions since the implementation of this action plan do not necessarily align with the goals of the legislature that has been set upon the country. Further reports have indicated that many IDPs are returning home with no assistance or are forcibly pushed back to their homelands by governmental officials.

In 2018, over a million Ethiopians were forced to leave their homes due to ethnic violence (Gardner b. 2019). The worst of the violence occurred in the south, where an estimated 800,000 ethnic Gedeos escaped the West Guji district in Oromia, the country's largest region, where they shared dense farmland with Guji Oromos. At first, it appeared that the population had simply outstripped the food supply, causing tensions, but quickly escalated to burning homes, destroying crops, beheadings, and assaults. The situation only became more complicated with the complicity of the local officials, police and militia, sparking the debate as to whether it was an ethnic cleansing. Many of the IDPs ended up in a settlement in the village of Gotiti, which hosts 20,000-30,000 Gedeos in unsanitary conditions with housing that is well below the United Nation's standards (Gardner b. 2019). Those who live in the settlement have been denied humanitarian assistance by the Ethiopian government, who failed to formally recognize the Gedeos living in Gotiti as IDPs eligible for receiving humanitarian assistance. Aid workers report that food assistance in several areas near Gotiti and the West Guji boundaries have been blocked to encourage IDPs to return to their homelands. Those who have been able to access the camps report terrible housing conditions and high rates of malnutrition alongside other indications of unhealthy living conditions.

This dangerous situation in which many Gedeos exist does not present conditions for an easy solution. Caught between the threat of violence should they return home and the government's refusal to recognize them as IDPs and provide humanitarian aid gives the IDPs

very few options in terms of finding safe solutions. The NDMC's commissioner stated that he expects Gedeos to return to their homelands, and that "We don't have any plan to resettle Gedeos" (Gardner b. 2019).

Despite the dangerous conditions that Gedeos would experience if they returned home, the Ethiopian government has made several attempts to return them. In June 2018, two months after the first displacement, Gedeo people were forced back into Oromia, causing violence to escalate and another round of displacement to occur. In August 2018 the government resumed its efforts, loading people into buses and trucks to ship them back into Oromia. By December, an estimated 15,000 Gedeos became internally displaced once again (Gardner 2019). As the tensions between the Tigray region of the country and the centralized government escalates into civil war, the rate of internal displacement will undoubtedly grow as the vicious cycle continues. The approach that Ethiopia has taken in terms of addressing IDPs has effectively restricted action to assist and relocate those who are experiencing internal displacement in favor of ignoring the problem and attempting to restore the regions to their original states, which is impossible given that the dangerous conditions continue to occur.

Current developments within Ethiopia have triggered another wave of internal displacement, with regional and political sparring accumulating into a larger violent conflict. Longtime tensions between Prime Minister Abiy Ahmed and the Tigray People's Liberation Front have escalated after Prime Minister Ahmed accused the regional ruling party of attacking and stealing weapons from a government military base in November of 2020 (Dahir & Walsh, 2020). These accusations only fueled the long-standing tensions between the region and the federal government, deepening ethnic tensions and creating an enormous humanitarian crisis as federal military deployment to the area has raised outcry for independent investigation of civilian

assaults and rape by military personnel in refugee camps and shelters. While the Prime Minister denies any harm coming to civilians within the region, Western officials estimate that thousands have died in conflict, and over 2.2 million people have fled their homes. (Dahir & Walsh, 2020). This violence only furthers the instability that has become ever-present in the region, with over one million internally displaced persons already living in the area before this conflict, and the numbers only continuing to grow as the violence escalates (Internal Displacement Monitoring Centre, 2020).

While the overarching structure and goals of the Kampala Convention serves to protect IDPs, it is arguable that the AU's efforts do not accurately aid those suffering from internal displacement enough to make structural change that would give IDPs access to humanitarian relief aid and navigation tools for long-term settlement and stability. As witnessed in the current events in Ethiopia, there has been little effective intervention by the African Union, with reports that leaders within the organization roadblocking efforts through blatantly partisan efforts when discussing how best mitigate the conflict. (Odinkalu, 2020). Without securing leadership efforts in the AU to fulfill the duties described in the Kampala Convention, the document's purpose of creating action pathways to aid those in need is not fulfilled.

The difficulty in addressing internal displacement lies in the need for policies to address those who are experiencing it currently, and it is incredibly difficult to build legislation that focuses on preventative methods when displacement itself is a volatile experience that is driven by conflict, famine, environmental disasters, and economic catastrophes. While there has been movement towards critically reviewing the policies surrounding the crisis of internal displacement within Africa to date, the new wave of policies provides minimal impact on the

lives of IDPs, rendering it an insufficient tool in solving the issue. As seen in both Somalia and Ethiopia, African nations are taking very different approaches in rectifying this crisis and have seen results with varying degrees of success in short and long-term goals. Issues such as debt and oversight of displacement settlements as seen in Somalia, and refusal to deem those escaping violent conflict as IDPs within Ethiopia's borders extends the plight of internally displaced persons. Implementing policies and programs of overarching organizations such as the African Union and international aid groups within the borders of individual nation states while recognizing state sovereignty can be daunting if the nations are ill-prepared or unwilling to cooperate. Though progress has been made in developing policies, implementation has lagged due to economic limitations, denial, and lack of enforcement, which leaves Internally Displaced Persons struggling for survival.

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